

BOARD OF MADISON COUNTY COMMISSIONERS
January 20, 2009 MINUTES

On Tuesday, January 20, 2009, a meeting of the Board of Madison County Commissioners came to order at 9:53 a.m. in the Commissioners' Conference Room of the Madison County Courthouse in Virginia City, Montana, with Commissioners Jim Hart, Marilyn Ross, and David Schulz present.

Marilyn Ross moved to approve the January 6, 2009, minutes with corrections. Jim Hart seconded the motion. All voted aye and the motion carried.

Those people in attendance at the meeting were Charity Fechter, Jessi Fanelli, Peggy Kaatz, Barbie Durham, Holly Barney, Stephanie Kruer, Leona Stredwick, Karen Brown, Janie Alt, Margie Edsall, Ellis Thompson, Ralph Hamler, Tim Egan, Craig Campbell, Steve Sieglin, Andrea Sarchet, Judy Melin, Rick Schlenker, and Jason Davis.

Strawberry Ridge (Cowboy Heaven Phase 4A) SIA Renewal and LOC Replacement: Jessi Fanelli, Moonlight Basin Ranch, and Charity Fechter, Planning Director, met with the Board to discuss replacing a current Subdivision Improvements Agreement and Letter of Credit with new documents to reflect remaining improvements to Strawberry Ridge, Cowboy Heaven Phase 4A, in Moonlight Basin Ranch. Per recommendation of the Planning Director, Jim Hart moved to release the Subdivision Improvements Agreement for Strawberry Ridge, Cowboy Heaven Phase 4-A, filed as Document #124160, with associated Letter of Credit #08-001, issued by the American Bank in the amount of \$184,250.00, and approve the new Subdivision Improvements Agreement for Strawberry Ridge, Cowboy Heaven, Phase 4-A, between Madison County and Moonlight Basin Ranch, and the associated Letter of Credit #09-01, issued by American Bank in the amount of \$184,250.00. Marilyn Ross seconded the motion. All voted aye and the motion carried.

Planning Board Appointments: Charity Fechter, Planning Director, met with the Board to discuss applicants for the Planning Board vacancies. The Board will wait for a recommendation from the Planning Board, the Town of Twin Bridges, and the Conservation Districts before making a determination regarding appointments to the Board.

Madison Valley Cemetery Board Appointment: Jim Hart moved to appoint Kay Willett to the Madison Valley Cemetery District Board for a three year term that will expire on December 31, 2011. Marilyn Ross seconded the motion. All voted aye and the motion carried.

Balkovetz Estate: Charity Fechter, Planning Director, and Peggy Kaatz, Clerk and Recorder, were present for this portion of the meeting. Charity presented the Board with a memorandum regarding a request from Jean Bergeson, Erb and Suenram, PLLC, to review and comment on the proposed division of property in the Estate of Carl W. Balkovetz. The parcel is located in the Southeast quarter of Section 18, Township 4 South, Range 5 West, and consists of approximately 161.05 acres. If approved by the Court, two parcels would be created, Parcel One, north of Silver Bow Lane, would be 141.28 acres in size and go to Karlette Bausch; and Parcel Two, south of Silver Bow Lane, would be 20.67 acres in size and go to Donna Rankin. David Schulz asked Peggy if the comments in the memo were acceptable to her. Peggy stated that they were. Marilyn Ross moved to forward a copy of the memo with Charity's recommendations to Jean Bergeson along with a cover letter encouraging the Court's consideration. Jim Hart seconded the motion. All voted aye and the motion carried.

Grants: Barbie Durham, Grant Writer, presented the Board with an update to the Application for Federal Assistance for the TRMCC renovation project. Barbie explained that this form will update the proposed start and end dates of the project. Per recommendation of the Grant Writer, Marilyn Ross

moved to sign the updated Rural Development Application for Federal Assistance, Community Facilities Loans and Grants, #10-766, for the Tobacco Root Mountains Care Center project. Jim Hart seconded the motion. All voted aye and the motion carried.

Airports – Fuel Supply Contract: The Board reviewed a Fuel Supply Contract from City Service Valcon to supply Jet A Turbine Fuel and Aviation Gas for the Ennis Big Sky Airport. The Board will give the County Attorney the opportunity to review the contract before taking action on it.

Lee House/Office Space: The Board discussed the proposed purchase of the Lee house for County office space. Holly Barney, Fill-In Clerical Assistant, Leona Stredwick, Planning Office Clerk, Karen Brown, GIS/IT, Barbie Durham, Grant Writer, Peggy Kaatz, Clerk and Recorder, Janie Alt, Weed Office Clerk, and Margie Edsall, Weed Coordinator, were present for this portion of the meeting. Jim Hart explained offers that have been made between the County and the owner and stated that negotiations were still in progress. David Schulz reviewed two estimates from Benedict Builders, one to build a retaining wall behind the structures on the property, and one to address ADA issues and other necessary upgrades to the house and garage. Discussion ensued regarding bids for the upgrades; whether or not the retaining wall is a requirement; would this proposal get everyone out of both the school house and the Pankey house; how long the renovations would take if the property is purchased; estimated cost for phone lines and computer service; and current electrical bills at the two currently occupied buildings.

Road Research Files: Peggy Kaatz, Clerk and Recorder, and Karen Brown, GIS/IT, met with the Board to discuss accessibility to road research files created by Stacy Reid, Road Research Analyst. Ellis Thompson and Stephanie Kruer, Attorney at Law, were present for this portion of the meeting. Peggy stated that Karen had currently given her an index listing documentation that had been found. Stephanie Kruer asked if there is a place that citizens could access these files. Karen stated the index that lists documentation and where it can be found would be available in the Clerk and Recorder's Office. There was discussion regarding roads that were not identified as County roads. David Schulz stated that the purpose of the research was to compile records on County roads, but that some information on other roads is not always clear. He asked if we should take the next step and extend the research to include prescriptive and/or closed roads. Ellis Thompson asked about "public use roads". David Schulz stated that the question remains: is it the County's obligation to challenge a public use road or is it the responsibility of the citizens to pursue it?

Virginia City Container Site Lease: Ralph Hamler, Sanitarian, met with the Board to discuss renewal of the lease with Robert Nevin for the Solid Waste container site just out of Virginia City. Ralph stated that Nevin agreed to renew the lease, at the same rate, until the end of August, at which time the site would need to be moved. Marilyn Ross moved to approve the Lease Agreement between Robert A. Nevin and Madison County for approximately 3 acres, more or less, along highway 287, for the sole purpose of continuing use as a trash and recycling collection site, for the period beginning March 1, 2009, and ending on August 31, 2009, for the amount of \$400 per month. Jim Hart seconded the motion. All voted aye and the motion carried.

State Lands Roads: Tim Egan and Craig Campbell, Department of Natural Resources and Conservation, met with the Board to discuss reciprocal access agreements for roads to or across state lands. Karen Brown, GIS/IT, was also present for this portion of the meeting. Craig Campbell described the process for determining where easements are needed and stated that the deadline for completing the process has been extended to 2011. Craig stated that although a road has been in existence for a long period of time, it may not necessarily have a legal easement or may not necessarily be in the same place as it was in the past. Craig stated that with the help of Madison County road records, DNRC would try to identify roads that might be in question. Karen will forward a copy of the newly created road index to the DNRC.

Extension Projects Update: Steve Sieglin, MSU Extension Service, and Andrea Sarchet, Madison/Jefferson Extension Agent, met with the Board to discuss extension related projects in Madison County. Andrea presented the Board with a copy of the 2008 Extension Annual Report. Topics discussed included the Horizons projects, Brucellosis, Ranchers' Roundtable, having one agent for each County rather than sharing one, the possibility of using an intern for the summer to help take the load off one agent, and the need for a new vehicle for Andrea.

MVM Remodel Project: Rick Schlenker and Jason Davis, Schlenker and McKittrick Architects, met with the Board to discuss the remodel project planned for the Madison Valley Manor in Ennis, Montana. Barbie Durham, Grant Writer, and Judy Melin, MVM Administrator, were also present for this portion of the meeting. Having inspected the building earlier in the day, Rick stated that plans for siding and roofing, including both cost and approach, are still valid, but that there was inconsistency and several different styles of windows. Rick listed options of how to proceed with window replacements and suggested that replacing weather stripping on all outside doors be made a part of the project. Barbie Durham asked about the timeline of the project and requested that she be kept in the loop on the progress for the purpose of submitting progress reports on the funding. Judy Melin stated that MVM employees had asked if there was anything they could do to help with the project and that Paul Marsh, Nursing Homes Foundation, has names of potential donors to help with funding for the project. Jim Hart moved to proceed with the Madison Valley Manor remodel project with roofing and siding as the main project and window replacement as an added alternative. Marilyn Ross seconded the motion. All voted aye and the motion carried. Rick will prepare a contract for the project. The Board also discussed the addition to the back of the Courthouse. Rick and Jason will review plans for this addition.

With no further business the meeting was adjourned at 5:15 p.m.

David Schulz, Chairman
Board of Madison County Commissioners

Date Approved: January 27, 2009

Minutes prepared by:

Laurie Buyan, Administrative Assistant

Peggy Kaatz, Clerk and Recorder, Madison County